

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA)	
and THE STATE OF TEXAS <i>ex rel.</i>)	
MICHAEL A. REHFELDT,)	
)	
Plaintiffs,)	
)	
v.)	Case No: 3-09-CV-0203-B
)	
VITAS HEALTHCARE)	
CORPORATION, et al.)	
)	
Defendants.)	

NOTICE OF *PRO TANTO* VOLUNTARY DISMISSAL
BY RELATOR MICHAEL A. REHFELDT

Pursuant to Rule 41(a) of the *Federal Rules of Civil Procedure*, Relator Michael A. Rehfeldt hereby gives notice of the *pro tanto* voluntary dismissal without prejudice from this action of Defendant Dr. Justo Cisneros and the claims asserted against him.

Relator preserves and continues to assert his claims on behalf of the United States against defendants Vitas Healthcare Corporation and related entity and Keith Becker.

The False Claims Act, 31 U.S.C. § 3730(b)(1) provides that these claims may not be dismissed without the consent of the United States. Relator has spoken

with counsel for the United States, which will register its consent or objection through separate filing.

Date: October 29, 2012.

s/ Henry I Frohsin

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CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2012, a true and correct copy of the foregoing **Relator's *Pro Tanto* Voluntary Dismissal** was filed with the Clerk of Court using the electronic CM/ECF system, which will serve the following counsel of record:

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